

REMARKS

Claims 1 – 36 are pending in the application. Applicants cancel claims 19 and 33 without prejudice or disclaimer, amend claim 34, and add new claims 37 and 38. No new matter is introduced. Support may be found, for example, in Applicants' specification at page 13, lines 25 – page 15, line 5 and page 19, lines 20 – page 21, line 15.

ALLOWED CLAIMS

Applicants thank the Examiner for indicating that claims 1 – 18, 20 – 32, 35 and 36 are currently allowed.

OBJECTION TO SPECIFICATION

The specification is objected to with regard to informalities at page 2, line 7. Applicants amend the specification to address the aforementioned informalities, and respectfully request that the objection be withdrawn.

REJECTIONs UNDER 35 U.S.C. §§ 102, 103

Claims 34 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,770,894 to May, Jr. Claims 19 and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,021,500 to Wang et al. Applicants cancel claims 19 and 33 without prejudice or disclaimer amend claim 34 to further clarify the nature of their invention, and respectfully traverse this rejection.

In independent claim 34, Applicant claims:

34. A digital subscriber line communicating system for communicating through a communication line, comprising:

means for generating a sliding window based on a TCM-ISDN timing signal representing a periodical noise duration; and

means for discriminating, based on a status of said sliding window, which kinds of durations of said periodical noise duration a transmitting DMT symbol belongs to.

May discloses an automatic channel checking method to check time shared equipment in a time assignment speech interpolation (TASI) system, including a channel check initiate function at a TASI receiving channel (see, e.g., FIG. 16 of May). The Examiner suggests that May's load buffer 751 and update buffer 783 of FIG. 16 and load channel 811 and clear buffer line 835 of FIG. 17 provide Applicants' claimed means for generating a sliding window. However, the cited buffers of May do not generate a sliding window based on a TCM/ISDN timing signal.

The Examiner also suggests that level and noise timing functions 790 include Applicants' claimed means for discriminating a kind of periodical noise duration that a transmitting DMT symbol belongs to (making reference to decision boxes 795, 796 and 800 in FIG. 16). However, decision boxes 795, 796 and 800 are concerned with noise levels and noise limits, rather than with identifying kinds of noise (see, e.g., column 24, lines 23 – 64 of May).

Accordingly, Applicants respectfully submit that independent claim 34 is not anticipated by May, and therefore stands in condition for allowance.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 – 18, 20 – 32, and 34 – 38, consisting of independent claims 1, 17, 18, 20, 31, 32, and 34– 38, and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Bean', written over a horizontal line.

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